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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,068	04/19/2004	Dan J. Jewell		9982

7590 06/14/2005  
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EXAMINER

TRAN, THUY V

ART UNIT	PAPER NUMBER
2821	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

5m

<b>Office Action Summary</b>	<b>Application No.</b> 10/826,068	<b>Applicant(s)</b> JEWELL ET AL.	
	<b>Examiner</b> Thuy V. Tran	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5 and 6 is/are rejected.
- 7) ☒ Claim(s) 1-4 and 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is a response to the Applicants' filing on April 19<sup>th</sup>, 2004. In virtue of this filing, claims 1-10 are presented in the instant application.

#### ***Inventorship***

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

#### ***Drawings***

2. The drawings submitted on April 19<sup>th</sup>, 2004 are accepted.

#### ***Disclosure Objections***

3. The disclosure is objected to because of the following informalities:

- a. The abstract of the disclosure is objected to because it contains the words "said" therein. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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Appropriate correction is required.

b. The specification is objected to because of the following informalities:

Page 4, line 2 of paragraph 6, “a” should be changed to --an--;

Page 5, line 6 of “DESCRIPTION OF THE INVENTION”, “R” should be changed to --RL--;

Page 6, line 2 of paragraph 4, “a” should be changed to --an--; and

Page 7, line 2, “the” should be changed to --The--.

Appropriate correction is required.

***Claim Objections/ Minor Informalities***

4. Claims 1-2, 4, 6-7, and 9 are objected to because of the following informalities:

Claim 1, line 3, “a” (second occurrence) should be changed to --an--;

Claim 1, line 8, “the” should be changed to --an--;

Claim 2, line 1, --the-- should be inserted between “wherein” and “contacts”;

Claim 2, line 3, --the-- should be inserted between “wherein” and “contacts”;

Claim 4, “an” should be changed to --the--;

Claim 4, line 2, --the-- should be inserted between “and” and “ground”;

Claim 4, line 3, --the-- should be inserted between “to” and “ground”;

Claim 6, line 1, “further” should be replaced with --wherein said chip--;

Claim 7, line 3, “a” (first occurrence) should be changed to --an--;

Claim 7, line 8, “the” (first occurrence) should be changed to --an--;

Claim 9, line 3, “the” (second occurrence) should be changed to --a--; and

Claim 9, line 4, “a” (first occurrence) should be changed to --the--.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claims 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 5, the recitation "A method as in claim 5 ... on the vehicle" renders the claim indefinite since it appears to be mis-descriptive. First, the claim depends on itself. Second, no physical connection(s) between the multiple circuits and the components/parts of the circuit described in the previous claims is shown or provided. Clarification is required.

Claim 6 is also rejected under 35 U.S.C. 112, second paragraph, since it is dependent on claim 5.

***Allowable Subject Matter***

7. Claims 1-4 and 7-10 would be allowed if corrected to overcome the objections set forth in this Office Action.

8. The following is a statement of reasons for the indication of allowable subject matter:

Prior art fails to disclose or fairly suggest:

- A method of monitoring the operability of a light bulb, both while lit and unlit, comprising a step of providing a circuit containing an LED and a latching circuit portion configured to remain latched thereby applying power to the bulb and the relay only when the bulb is switched on and lit, in combination with the remaining claimed

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limitations as called for in independent claim 1 (claims 2-4 would be allowed since they are dependent on claim 1); and

- A circuit to monitor the operability of a light bulb, both while lit and unlit, comprising an LED and a latching circuit portion, said latching circuit portion configured to remain latched thereby applying power to the bulb and the relay only when the bulb is switched on and lit, in combination with the remaining claimed limitations as called for in independent claim 7 (claims 8-10 would be allowed since they are dependent on claim 7).

***Remarks on the defective claims 5 and 6***

9. Claims 5 and 6 are not provided with either rejection(s) over art nor indicated allowable subject matter since they are defective.

***Citation of relevant prior art***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Edwards (U.S. Patent No. 6,359,763) discloses a monitoring apparatus for electrical circuits.

Prior art Cerruti (U.S. Patent No. 4,327,352) discloses a monitoring apparatus for a motor vehicle.

Prior art Stewart (U.S. Patent No. 4,027,236) discloses a voltage and continuity checker.

Prior art Chaffee (U.S. Patent No. 3,962,630) discloses an electrical continuity and voltage-testing device.

Prior art Bevins (U.S. Patent No. 3,914,687) discloses a continuity testing device.

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Prior art Laass (U.S. Patent No. 3,872,384) discloses an electrical wiring, circuit, energization, and resistance test apparatus.

Prior art Morin (U.S. Patent No. 3,829,763) discloses an automotive and continuity tester.

Prior art A. Mazurkevics (U.S. Patent No. 3,437,916) discloses a testing apparatus for electrical circuits.

Prior art J. A. Marino et al. (U.S. Patent No. 3,157,870) discloses a method and means for voltage testing.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Thuy V. Tran', with a stylized, cursive script.

**THUY V. TRAN**  
**PRIMARY EXAMINER**